ARGUMENTS/REMARKS

I. Status of Claims

Claim 11 is amended.

Claims 1-10 and 15-18 are withdrawn.

Claims 18-22 were canceled.

Claims 11-14 are being examined.

II. Pending Claims Satisfy the §112, 1st Paragraph Enablement Requirements.

Claim 11 is amended to recite that the infectious disease is influenza. The Office Action on page 2 acknowledges that the specification is enabling for preventing an influenza infection, while also enabling for inducing an immune response against an infectious disease.

Accordingly, applicants request the examiner to withdraw the section 112 enablement rejections.

III. Pending Claims are Novel over Wang et al.

The Office Action rejects claims 11-14 as being anticipated under 35 U.S.C §102(b) by Wang et al., (2002), *J. Clin. Invest.* 110: 1175-1184. The examiner alleges that Wang teaches inducing immune responses against infectious diseases comprising mucosally (intranasally) administering double-stranded RNA comprising Poly (I:C) and a subunit antigen.

However, Wang used a dry powder form for intratracheal instillation or aerosolization. (see p. 1176, last full paragraph, right column). In addition, Wang discloses priming by intravenous injection as well. Further, Wang discloses that water was removed from the vaccine preparation "resulting in a dry powder". p. 1176, top first full paragraph, right column.

Additionally, Wang states "However, dsRNA could not induce an isotype switch to the IgA class. ..." (p. 1184, left column, top paragraph). Therefore, Wang does not disclose induction of secretory IgA for immunity.

Therefore, Wang does not teach to one of ordinary skill in the art a method of preventing influenza that includes the a step for administering to nasal mucosa a vaccine at a concentration sufficient to produce secretory IgA for mucosal administration that includes a double-stranded RNA; a subunit antigen or inactivated antigen of an influenza virus; and water, a physiological solution or an artificial cerebrospinal fluid.

While the present claims are specifically directed to inducing the production of secretory IgA by administering to nasal mucosa, wherein the vaccine includes water or a physiological solution or an artificial cerebrospinal fluid.

Therefore, Wang et al. does not anticipate claims 11-14.

No other fees are due. However, please charge our deposit account number 12-0913 for any other fees or credit any overpayments.

Respectfully submitted,

/Sendil Devadas/

Sendil K. Devadas, Reg. No. 52,425
BARNES & THORNBURG LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 357-1313 (telephone)
(312) 759-5646 (facsimile)
Customer No. 23644

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